

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

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| JPMORGAN CHASE BANK, NATIONAL ASSOCIATION, | : | Case No. 1:14-cv-196 |
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| Plaintiff, | : | Judge Timothy S. Black |
| | : | Magistrate Judge Karen L. Litkovitz |
| vs. | : | |
| | : | |
| CHARLENE C. PEGG, <i>et al.</i> , | : | |
| | : | |
| Defendants. | : | |

**DECISION AND ENTRY: (1) ADOPTING THE REPORT AND
RECOMMENDATION OF THE MAGISTRATE JUDGE (Doc. 6);
(2) DENYING THE PETITION FOR REMOVAL (Doc. 1); (3) REMANDING
THIS CASE TO THE STATE COURT; (4) TERMINATING DEFENDANT'S
MOTION TO DISMISS (Doc. 5); (5) DENYING DEFENDANT'S MOTION FOR
LEAVE TO AMEND REMOVAL PETITION (Doc. 8); AND (6) TERMINATING
THIS CASE ON THE COURT'S DOCKET**

This case is before the Court on the Report and Recommendation of United States Magistrate Judge Karen L. Litkovitz. (Doc. 6). The Magistrate Judge recommends that the Court deny Defendant Elikim Shabazz's Petition for Removal (Doc. 1) and remand this case to the Hamilton County, Ohio Court of Common Pleas. Plaintiff filed no objections to the Report and Recommendation of the Magistrate Judge and the time for doing so has expired. Defendant did move to amend the removal petition (Doc. 8), which Plaintiff opposes. (Doc. 9). The issues are now ripe for decision by the Court.

As required by 28 U.S.C. § 636(b) and Fed. R. Civ. P. 72(b), upon reviewing *de novo* the removal petition, the arguments of the parties, and the comprehensive findings of the Magistrate Judge, the Court: (1) **ADOPTS** the Report and Recommendation of the Magistrate Judge in its entirety (Doc. 6); (2) **DENIES** the Petition for Removal (Doc. 1); (3) **REMANDS** this case to the Hamilton County, Ohio Court of Common Pleas; (4) **TERMINATES** Defendant Shabazz's Motion to Dismiss (Doc. 5);¹ (5) **DENIES** Defendant Shabazz's Motion to Amend Removal Petition (Doc. 8); and (6) **TERMINATES** this case on the docket of this Court.

IT IS SO ORDERED.

Date: 5/2/14

s/ Timothy S. Black
Timothy S. Black
United States District Judge

¹ As determined by the Magistrate Judge, this Court lacks subject matter jurisdiction over this case, and therefore, lacks jurisdiction to determine Defendant's Motion on the merits.